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ABSTRACT

Twenty-five years after it was enacted by Congress in 1972, Title IX of the Education Amendments (the federal mandate against sex discrimination in education) has opened doors previously closed to women and girls. This report by the National Coalition for Women and Girls in Education (NCWGE) celebrates the progress made to date but also identifies areas in need of further action. The report examines critical areas--including access to higher education (B-), learning environment (C-), math and science (C+), and sexual harassment (D+)--and grades the United States' efforts to implement Title IX based on such indicators as women's participation rates, enforcement actions by the federal government, and legal developments. The U.S. efforts earn an overall grade of C. The report concludes with an action agenda that provides educators and policymakers with a blueprint for achieving gender equity in the next 25 years and beyond. (Contains 127 references.) (LMI)

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REPORT CARD ON GENDER EQUITY

SUBJECT	FIRST 25 YEARS
Access to Higher Education	B-
Athletics	C
Career Education	C
Employment	C-
Learning Environment	C-
Math and Science	C+
Sexual Harassment	D+
Standardized Testing	C
Treatment of Pregnant and Parenting Students	C+

A Report of the National Coalition for Women and Girls in Education

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The National Coalition for Women and Girls in Education (NCWGE) is a nonprofit organization of more than 50 organizations dedicated to improving educational opportunities and equality for women. Established in 1975, the Coalition has been a major force in developing national education policies that benefit women and girls of all racial and ethnic groups, as well as women and girls with disabilities.

NCWGE thanks the following members for their commitment and the extensive time they contributed to complete the *Report Card*:

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INTRODUCTION

> One of the great failings of the American educational system is the continuation of corrosive and unjustified discrimination against women. It is clear to me that sex discrimination reaches into all facets of education—admission, scholarship programs, faculty hiring and promotion, professional staffing, and pay scales. ... The only antidote is a comprehensive amendment such as the one now before the Senate.

With these words, 25 years ago former Senator Birch Bayh introduced a measure designed to end the myriad discriminatory practices confronting women and girls in educational institutions. This provision, enacted as Title IX of the Education Amendments of 1972, is the federal mandate against sex discrimination in education. Using the broadest terms possible, Congress intended to assure that girls and women no longer would be constrained by "corrosive and unjustified" gender bias in education, signaling loudly and clearly that the days when gender dictated educational opportunities in schools, colleges, or universities receiving taxpayer dollars were over.

Title IX of the Education Amendments

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

20 U.S.C. Section 1681

As we celebrate the 25th anniversary of Title IX's enactment, it is fitting to assess the nation's progress towards Congress's goal of ending sex discrimination in education. From today's vantage point, there is no question that Title IX has had a significant impact on women and girls.

Indeed, a glimpse into the pre-Title IX era is instructive. Before Title IX, schools, from elementary through postsecondary levels, limited the participation of girls and women in opportunities both large and small. Many colleges and professional schools

had quotas limiting the number of women that could attend. Athletics programming for girls generally consisted of cheerleading. With the exception of historically black colleges and universities, virtually no college offered women athletic scholarships. Many high schools prohibited boys from taking home economics; girls could not take auto mechanics. Female elementary and secondary school teachers frequently had to leave their jobs when they married or became pregnant. Pregnant and parenting students frequently were not allowed to attend school at all. Some schools even forbade girls from serving on the safety patrol. In short, as former Representative Edith Green, Title IX's sponsor in the House, noted, "Our educational institutions have proven to be no bastions of democracy."

Title IX was intended to be a "strong and comprehensive" measure that would tackle all those forms of discrimination, and more. Lawmakers intended Title IX to address every aspect of education—from admissions and tracking to glass ceilings that kept women from reaching the highest ranks of academia. In so doing, Title IX was intended not only to open the doors to educational opportunities formerly closed to women and girls, but also to provide avenues for enhancing their economic futures. Title IX was the nation's promise for ensuring that the talents of half its citizens—women—no longer would be constricted by discrimination.

Twenty-five years later, educational opportunities for girls and women have increased, thanks to Title IX, but there is room for improvement. As the following progress reports make clear, Title IX has helped women and girls make strides in gaining access to higher education, athletics programming, and other areas, such as science and engineering. But many barriers remain.

No Girls Allowed

Some barriers to education for women and girls before Title IX:

- **Many schools and universities had separate entrances for male and female students.**
- **Female students were not allowed to take certain courses, such as auto mechanics or criminal justice.**
- **Some high school and college marching bands would not allow women to play.**
- **Most medical and law schools limited the number of women admitted to 15 or fewer per school.**
- **Many colleges and universities required women to have higher test scores and better grades than male applicants to gain admission.**
- **Women living on campus were not allowed to stay out past midnight.**
- **Women faculty members were excluded from the faculty club and encouraged to join the faculty wives club instead.**

Too many girls and women still confront "No Trespassing" signs throughout educational institutions. Women remain underrepresented in critical areas such as math and science. Colleges and universities continue to give short shrift to women's athletics, spending the lion's share of money on men's programming. Scoring gaps persist in standardized testing, limiting women's access to educational institutions, financial aid, and careers. Non-traditional job training programs leading to high-skill, high-wage jobs are still hostile places for women, where they confront the most severe forms of harassment. Few women, particularly women of color, have broken the glass ceiling that keeps the top ranks of positions in colleges and universities primarily the preserve of men. Sexual harassment, which was not even defined as a legal concept in 1972, now has been identified as a barrier to students at every level of education. We owe it to our daughters to improve our performance on Title IX by removing these obstacles.

Room for Improvement

True gender equity remains elusive, despite 25 years of Title IX. For example:

- **Less than 20 percent of full professors in colleges and universities are women.**
- **Women's college athletics programs receive on average 25 percent of the athletics budget.**
- **The number of women coaches in colleges and universities has decreased over the past 25 years—from coaching 90 percent of women's teams to coaching only 48 percent today.**
- **Sex segregation persists in career education, including School-to-Work. Seventy percent of women in vocational education study the health professions; in contrast, 77 percent of men study trade and industry.**
- **Sexual harassment is pervasive in schools—81 percent of students surveyed have experienced some form of it.**

The progress reports that follow examine these persistent obstacles through the prism of 25 years of Title IX and assess how far we've actually come in making Congress's goal a reality—and how far we as a nation have yet to go.

PROGRESS REPORTS

The NCWGE *Report Card* examines the state of gender equity in education in nine key areas: access to higher education, athletics, career education, employment, learning environment, math and science, sexual harassment, standardized testing, and treatment of pregnant and parenting students.

The progress reports grade the nation's efforts to implement Title IX, based on a variety of indicators, such as women's participation rates, enforcement actions by the federal government, and legal developments. Based on these indicators, the progress reports assess how far the nation has come in realizing Title IX's goal of eliminating sex discrimination in education. The grading scale is as follows:

A - Equitable: Gender and other areas of diversity respected and affirmed.

B - Substantial Progress: Elimination of most gender-based barriers.

C - Some Progress: Some barriers addressed, but more improvement necessary.

D - Little Progress: Significant gender-based barriers remain.

F - Failure: No progress in 25 years.

Progress Toward Gender Equity	
Subject	**Grade**
Access to Higher Education	B-
Athletics	C
Career Education	C
Employment	C-
Learning Environment	C-
Math and Science	C+
Sexual Harassment	D+
Standardized Testing	C
Treatment of Pregnant and Parenting Teens	C+

So, how did the nation fare? As the chart to the right indicates, the nation has made some progress, but there is much room for improvement. The Action Agenda that accompanies this *Report Card* provides concrete suggestions about how the nation can make the grade for gender equity in the next 25 years and beyond.

Access to Higher Education

B-

Title IX has made great inroads in higher education, providing women with much greater access to our nation's colleges and universities, which is as critical to their economic well-being and success today as it was in 1972 when Congress enacted the statute. Title IX has helped reduce sex discrimination, most notably in admissions standards, to the benefit of women and men alike. But other barriers to higher education persist, including sex segregation and disparities in financial aid awards, among others.

Admissions. Up until the 1970s, a great many of the nation's colleges and universities—private and public—simply excluded women outright. Institutions that admitted women welcomed them with a maze of obstacles including quotas, requirements to live in limited on-campus housing, and tougher admissions criteria. Other colleges and universities strictly scrutinized whether women applicants were serious about pursuing a degree, based on their assumptions that women were most interested in marriage and children. In college interviews, women applicants to doctoral programs often had to explain how they would combine a career with a family. Admissions policies too frequently were guided by traditional attitudes about the "proper" place of women and the widespread belief that women would drop out of school to take their "rightful" place in the home. As a result, many colleges and universities limited women's entry to ensure that only the most "committed" students—men—would have access to educational opportunities.

Twenty-five years later, most such overt practices have been eliminated throughout higher education. Women have walked through these newly opened doors of opportunity in ever increasing numbers across the board:

Title IX Snapshot

- **Harvard University, which opened its doors in 1636, did not admit women until 1943.**
- **The University of Virginia excluded women until 1970.**
- **The University of North Carolina limited the number of women by requiring them to live on campus, where there was little housing. Men, in contrast, could live anywhere they wanted.**
- **Women seeking admission to the New York State College of Agriculture in the early 1970s needed SAT scores 30 to 40 points higher than men.**

Percentage of Degrees Awarded to Women		
Degree	**1971-72**	**1996-97 (Projected)**
Associate of Arts	**45**	**60**
Bachelor of Arts	**44**	**56**
Master of Arts	**41**	**51**
Ph.D.	**16**	**39**
First Professional	**6**	**40**

Women clearly have made gains in achieving access to higher education, as these figures demonstrate. However, women still lag behind their male counterparts in earning doctoral and professional degrees, which is especially striking in light of the number of women receiving bachelor's degrees.

Financial Aid. Twenty-five years ago, just as today, financial aid meant the difference between pursuing higher education and abandoning that dream. Prior to Title IX, many colleges and universities kept women from receiving this critical assistance by:

- restricting the most prestigious scholarships, such as the Rhodes Scholarship, to men;
- giving preference to men in the award of other scholarships, fellowships, and loans;
- withholding financial aid from women who were married, pregnant, or parenting, or from part-time students, who were more likely to be women;
- failing to allow for child care expenses; or
- tracking women into low paying work-study jobs.

Title IX meant an end to many policies and practices denying women financial aid. Over the past 25 years, financial aid programs have been modified to facilitate women's access into higher education, recognizing that many women must support not only themselves, but also their families, as they pursue degrees. Women make up almost 60 percent of part-time students and 58 percent of students over 24. Women who attend a postsecondary institution also are twice as likely as men to have dependents, and three times as likely to be single parents. To make higher education more accessible to these students, Congress enacted several key provisions in the 1986 reauthorization of the Higher Education Act. For example, Pell Grants and campus-based aid are now awarded to part-time students as well as full-time students. In addition, Pell Grants include an allowance for child care expenses as part of calculating the cost of attendance. Moreover, all students are allowed to waive the value of their home in the calculation of expected family contribution to determine eligibility for financial aid.

However, despite these advances, disparities still exist in the distribution of financial aid. For example, according to a 1997 study by the National Collegiate Athletic Association (NCAA), women athletes receive only 38 percent of scholarship dollars: for that year, men received a whopping $1.5 million in athletics scholarships, compared to just $634,689 for women. In addition, although Title IX allows educational institutions

to take affirmative steps to remedy past discrimination, it also allows colleges and universities to exclude women from certain scholarships that have no remedial purpose whatsoever. Title IX's implementing regulation permits schools to administer scholarships created under a will, bequest, or other legal instrument that is sex specific: for example, scholarships exist for male engineering students who are members of the Sigma Chi Fraternity, men from New Jersey, or men who attended certain high schools. Unlike many scholarships targeting women and people of color, these scholarships do not remedy past discrimination; in fact, they help men gain access to fields in which they already are well represented.

Sex Segregation in Courses. Even though growing numbers of women receive degrees in all levels of postsecondary education, they continue to be underrepresented in non-traditional fields that lead to greater earning power upon graduation. Women continue to be clustered in areas traditional for their gender. Data from 1992-1993, for example, show that women received 77 percent of the undergraduate education degrees, 73 percent of psychology degrees, and 66 percent of English degrees. In contrast, women earned only 26 percent of undergraduate degrees in computer and information sciences, 18 percent of the physics degrees, and fewer than 15 percent of all undergraduate engineering degrees. This pattern of sex segregation directly limits women's earning power upon graduation because careers in math and the sciences frequently result in higher pay. For example, in 1996 engineers had median weekly earnings of $949; in contrast, elementary school teachers' median weekly earnings that year were $662, about 30 percent less.

Sex segregation is even more acute among women pursuing doctoral degrees, where they already are underrepresented. For the academic year 1993-94, women received 22 percent of all mathematics doctorate degrees, 15 percent of doctorates awarded in computers and information sciences, 12 percent of physics doctorate degrees, and only 11 percent of all doctorates awarded in engineering. Women earned doctorates

Room for Improvement

- **Women still lag behind men in earning doctoral and professional degrees.**
- **Disparities regarding athletics scholarships persist.**
- **Some scholarships still are reserved for men.**
- **Women are underrepresented in math and science, due, in large part, to the hostile environment many confront in these areas.**
- **Educational institutions are moving to dismantle affirmative action programs that have increased access to women and students of color.**
- **Low-income women have lost an avenue to higher education because of the new welfare law.**

in areas traditional for their gender, earning 61 percent of all psychology doctoral degrees, 60 percent of foreign language doctoral degrees, and 59 percent of education doctoral degrees. Women's underrepresentation in math and science-related fields affects more than their earning potential. It also limits the numbers of women university professors in these fields, who, in turn could encourage more young women to enter math and science programs.

The hostile environment many women encounter in the sciences, mathematics, and engineering no doubt plays a great role in women's underrepresentation in these fields. Research has shown that women pursuing math and science in higher education face outright hostility in too many instances:

- deliberate sabotaging of female students' experiments;
- constant comments that women do not belong in certain departments or schools;
- interspersing slide presentations with pictures of nude women, purportedly to "liven up" the classroom; or
- sexual harassment in laboratory or field work, causing women to avoid these settings altogether.

Less blatant forms of sexism also are commonplace and make the environment equally unpleasant. For example:

- Male faculty may be reluctant to work with women because they question their competence.
- Male students may exclude women from study groups and project teams.
- Male students who do work with women may try to dominate projects.
- Many faculty refuse to incorporate the work of women in math and science in the curriculum, reinforcing women's invisibility in these areas.

The "chilly" climate for women, coupled with the small number of female faculty in math, sciences, and engineering, effectively limit women's access to these fields and, in so doing, close off important career alternatives for women.

Limiting Access in the Future. Recent policy developments threaten women's access to higher education, signaling a retrenchment of the progress made through 25 years of Title IX. For example, in 1996, the Congress and President Clinton approved a new welfare law that prohibits women receiving public assistance from attending a post-secondary institution as a means of meeting their work requirement. Prior to this law, states had the discretion to allow welfare recipients to attend a two-year or four-year college. These women are now denied a path that could lead to self-sufficiency.

In addition, recent assaults on affirmative action could mean the end of programs that have helped women redress past sex discrimination and enhanced their educational

opportunities, particularly in areas where they have been and continue to be underrepresented, such as math and science. The 1996 passage of California Proposition 209 and the *Hopwood v. State of Texas* decision may give impetus to colleges and universities, in many cases unnecessarily, to dismantle the current policies and impede access to higher education for women and people of color.

Grade: B-

Recommendations:

- The U.S. Department of Education should submit an annual report to Congress detailing disbursement of financial aid, loans and grants, and awards in higher education disaggregated by race and gender. The Department also should provide recommendations for addressing disparities in financial aid distribution.
- The Department of Education and other federal agencies funding higher education programs should target Title IX enforcement to address discriminatory practices that discourage women from pursuing math and science majors.
- Educational institutions should provide opportunities to encourage women to enter math and science fields of study and develop programs designed to increase women's retention in these areas.
- Congress should amend the welfare law to allow women on welfare the opportunity to pursue postsecondary education and to allow college study and work study to count toward a welfare recipient's work requirement.
- The Department of Education should clarify legally acceptable forms of affirmative action in education for women and people of color and encourage their use.
- Congress should restore funding to the Patricia Roberts Harris Fellowships to encourage women and students of color to enter master's, professional, and doctoral programs where they are underrepresented.

Athletics

C

For many, Title IX is synonymous with expanded opportunity in athletics. A tribute to its promise is evidenced by the impressive achievements of the nation's women athletes during the 1996 Olympics and the resurgence of professional women's basketball. Given that women and girls were virtually closed out of most athletic opportunities in schools before Title IX, strides have been made toward equal opportunity for girls and women across the board, progress of importance that extends well beyond the playing field.

A 1997 study commissioned by the President's Council on Physical Fitness and Sports found that girls who play sports have better physical and emotional health than those who do not. Other studies have linked sports participation to reduced incidence of breast cancer and osteoporosis later in life. Yet girls are twice as likely to be inactive as boys and have substantially fewer opportunities and incentives to participate in sports. Much distance remains between the current status of girls and women in sports and the ultimate goal of gender equity.

Participation Rates and Resource Allocation. Women and girls looking for opportunities for athletic competition did not have many resources prior to 1972—for many, the choice was cheerleading or securing a good view in the bleachers as a spectator. In 1971, fewer than 300,000 girls participated in varsity athletics at their high school, comprising a mere one percent of all high school varsity athletes. The outlook for college students was equally grim: before Title IX, fewer than 32,000 women competed in intercollegiate athletics.

Low participation rates mirrored the lack of commitment to providing athletics programming for women, as evidenced by the small amount of money allocated for such activities. Before Title IX, female college athletes received only 2 percent of overall athletic budgets. Athletic scholarships for women were virtually nonexistent. Title IX's enactment has changed the playing field sig-

Girls' High School Athletics Participation Rates

Year	Girls in High School Varsity Athletics	Percentage of Varsity Athletes
1971	<300,000	1 percent
1996	2.4 million	40 percent

nificantly. By 1996, nearly 2.4 million girls participated in athletics, representing 40 percent of varsity athletes in high school—accounting for a 800 percent increase from 1971 in the number of girls participating. The progress on college campuses also has been impressive. Today, more than 110,000 women compete in intercollegiate sports, accounting for 37 percent of college varsity athletes. The number of female college athletes competing in Division I (the most competitive of the three NCAA Divisions) has increased 22 percent since 1992.

Disparities in Funding Intercollegiate Athletics for 1997

Athletics Expense	Men's Sports	Women's Sports
Scholarships	**$1.05 million**	**$634,689**
Recruiting	**$133,303**	**$49,176**
Head Coaches Salaries	**$303,456**	**$216,419**
Operating Expenses	**$1.2 million**	**$338,600**

While significant, these gains still leave girls and women without their fair share of opportunities to compete. Only 9 percent of Division I colleges provide athletic opportunities for women within 5 percentage points of women's share of enrollment. Even among Division I schools that do not sponsor football, only 16 percent even come close to providing women with athletic opportunities in proportion to women's enrollment in the student body.

Although the resources and benefits allocated to female athletes also have improved significantly since Title IX's passage, they still fall far short of what equity requires.

- Since Title IX was passed, for every new dollar spent on college sports for women, two new dollars have been spent on college sports for men.
- According to a 1997 study by the NCAA, female college athletes still receive only 23 percent of athletic operating budgets, 38 percent of athletic scholarship dollars, and 27 percent of the money spent to recruit new athletes.
- On a per-athlete basis, female athletes received $4,100, $2,000, and $1,900 per student-athlete in Divisions I-A, I-AA, and I-AAA, respectively, compared to the $8,000, $2,400, and $2,500 received by their male counterparts in 1997.

National data on expenditures do not exist for girls' and boys' interscholastic sports, although anecdotal evidence suggests that the disparities are even greater at the elementary/secondary level.

Coaches and Administrators. Female coaches and athletic administrators have not seen anything approaching the level of improved opportunity as have female athletes since Title IX's enactment, backsliding rather than advancing toward equity in many instances. In the early 1970s, women coached 90 percent of women's college teams. By

Room for Improvement

- **Since 1972, for every new dollar spent on women's college sports, two new dollars have been spent on men's college sports.**
- **The number of women coaches in college athletics is *decreasing*.**
- **Very few colleges provide women with athletic opportunities in proportion to women's enrollment in the student body.**
- **Enforcement activity in athletics at every educational level has been virtually nonexistent.**

the 1995-1996 school year, women coached only 47.7 percent of women's intercollegiate athletic teams overall, the second lowest total in 19 years. In only 7 of the 24 sports recognized by the NCAA do women hold more than half of the head coaching jobs. High school teams also have seen this decline in women coaches. Compared to the 1970s, when women coaches frequently led girls' high school teams, a 1992 study found that women coached only 36 percent of girls' sports teams. The loss of coaching jobs in women's sports has not been offset by a corresponding increase in opportunities for women to coach men's teams. Women are virtually shut out of these jobs, holding only 2 percent of the coaching positions in men's college sports.

Women's college basketball is the one exception to diminishing coaching opportunities for women. The number of women intercollegiate basketball coaches has been on the rise, with women now holding 64 percent of head coaching jobs—an 11 percent increase over the low of 58.5 percent in 1988. This lone bright spot does little to address the dwindling opportunities for qualified female coaches and the attendant decrease in much needed role models for women athletes.

The impact of sex segregation in the coaching market is exacerbated by the striking disparity in the salaries paid to coaches of men's and women's teams. In men's basketball, for example, the median compensation for coaches is three times that of coaches for women's basketball. Similar inequities exist in coaching salaries for other men's and women's sports.

Title IX Enforcement. The record of Title IX enforcement in interscholastic and intercollegiate athletics in the past 25 years is fair at best, as evidenced by the persistent disparities highlighted above. In 1975, the Department of Education's Office for Civil Rights (OCR) issued general Title IX regulations, which included a requirement of equal athletic opportunity across the board regarding participation opportunities, athletic scholarships, and the treatment and benefits provided to athletes, among other areas. The regulations allowed colleges and high schools a three-year phase-in period, and allowed elementary schools a one-year phase-in period. OCR explained Title IX's require-

ments and the regulations in greater detail through a Policy Interpretation issued in 1979. However, enforcement was largely nonexistent throughout the 1980s, in part because of the Supreme Court's 1984 decision in *Grove City College v. Bell*, which limited Title IX's application to specific programs within schools that directly received federal funds (usually not the case for athletic programs), rather than entire institutions receiving federal funds. Congress overturned this decision a few years later.

With the full scope of Title IX restored in 1987, and with colleges responding to budget constraints by cutting already beleaguered women's teams, Title IX enforcement began again. The 1990s have witnessed the creation of a uniform body of law in the courts protecting the right to equal athletic opportunity, despite strenuous objections by defendants that men purportedly are more interested in playing sports than women and therefore deserve greater athletic opportunities. Progress has been made largely on a case-by-case basis, with gains gradual and piecemeal.

Moreover, women's progress, albeit limited, has sparked a backlash by Title IX opponents who have argued to Congress and the media that Title IX has gone "too far" and has "hurt" men's sports. After holding hearings on this issue in May of 1995, some members of Congress asked OCR to revisit its 1979 Policy Interpretation and consider whether it should weaken the standards it articulated. In response, OCR strongly affirmed its longstanding interpretation, enhancing it with an explanation of how institutions can and must fully comply with the law.

Beyond this policy statement, it is important for OCR to increase its enforcement activity. OCR conducted only two compliance reviews for intercollegiate athletic programs in 1995, none in 1996, and has announced no plans to conduct any in 1997. While OCR attributes this inaction to the relatively small number of complaints it receives in this area, the number of complaints filed with OCR is a poor indication of the need for enforcement, as few students and parents are aware of Title IX's requirements regarding athletics or have the information required to compare treatment of female and male athletes in their schools. Moreover, the rapidly increasing number of intercollegiate and interscholastic athletic complaints filed with courts in recent years belies OCR's assessment, suggesting that the low level of complaints filed with OCR may have more to do with OCR's inadequate record of enforcement rather than any shortage of grievances. In light of the continuing reluctance of some schools and colleges to provide equal athletic opportunity to their female students and the snail's pace at which others are proceeding, OCR should step up the pace of its enforcement activity.

Grade: C

Recommendations:

- Congress should strengthen the Equity in Athletics Disclosure Act to require colleges and universities to provide information on gender equity in their athletic programs to one central government office, which would serve as a repository for the information.
- Congress should enact a similar sunshine law requiring federally funded high schools to disclose publicly information regarding athletic equity.
- The NCAA should enact strong measures to push their member institutions toward Title IX compliance, such as capping excessive athletic expenditures to free more resources to expand women's programs.
- OCR should step up its enforcement in this area by initiating more compliance reviews and increasing its outreach to educate students and educational institutions about what Title IX requires.

Career Education

C

Title IX has made training for non-traditional careers possible for girls and women. This option clearly was off limits to female students before 1972, when schools routinely denied girls the opportunity to take classes in shop, manufacturing, architectural drafting, or ceramics, or even to attend certain vocational schools. Girls were directed to classes where they would learn to cook and sew. Title IX's passage meant that schools no longer could shut the doors to certain courses on the basis of gender. However, 25 years later, patterns of sex segregation persist that must be addressed.

Separate and Unequal. Before Title IX, the vocational education system was predominantly sex segregated. In high school, girls took home economics and boys took shop. There was testimony during the Title IX hearings that in New York, for example, certain specialized vocational high schools were reserved for men: automotive, aviation, food, and maritime trades. At the postsecondary level, young women trained for low-wage, traditionally female jobs in health occupations and cosmetology, while young men trained for higher-wage, traditionally male jobs in trade and industry and technical occupations. Educational institutions could, and did, legally deny girls and women entry into training deemed "inappropriate" for females.

Increasing Access to Non-traditional Areas. Title IX ended these restrictions. In addition, Congress, in 1978, during the reauthorization of vocational education legislation, required each state to hire a sex equity coordinator who would carry out functions designed to make the vocational education system more equitable and improve the access of women and girls into training from which they had previously been denied. However, except for $50,000 to support the sex equity coordinator's position, Congress provided no federal funding whatsoever to carry out these functions, although it was a permissible use of funds.

Research by the National Institute of Education in 1981 found that states spent less than one percent of all their basic grant money for support services for women seeking to enter non-traditional vocational education, displaced homemakers, and child care. Only 0.2 percent of all state and local matching funds went for these purposes. The study concluded that most states used "paltry sums," making only a token gesture toward providing services for displaced homemakers, and relied on "symbolic gestures," rather than providing real avenues for women to pursue non-traditional enrollment.

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Congress changed this in 1984 during the reauthorization of vocational education by requiring states to spend a specific percentage of their basic grant money to make training opportunities available to women. Congress required each state to set aside 8.5 percent (decreased to 7 percent in 1990) for displaced homemakers, single parents, and single pregnant teens, and 3.5 percent (changed to 3 percent in 1990) for programs designed to eliminate sex bias and sex stereotyping in vocational education. Since that time, the number of programs serving displaced homemakers/single parents has grown from 435 to more than 1,300. By 1997, the number of sex equity programs numbered more than 1,400.

Success of Sex Equity Programs. More than 400,000 single parents and displaced homemakers are served each year as a result of the vocational education legislation requirements. Data show that these programs help participants increase their wages and decrease their dependence on welfare.

For example, in Florida 81 percent of participants earned incomes of less than $10,000 per year at the time of entry into a displaced homemaker/single parent program. After completing the program, the state found that 71 percent of participants were employed in Florida, earning an average income of $20,676 per year—doubling their incomes at the time of enrollment. In Arizona, a survey showed that participants' median hourly wage increased from $4.50 to $6.00, as did the median hours they worked—from 20 to 36 hours per week. Arizona also saw the percentage of participants in nontraditional jobs rise from 7 to 17 percent.

These programs have benefited not only participants, but also the states providing the services. For example, in Pennsylvania 85 percent of participants were living at or below 150 percent of the poverty level at the time of enrollment. Only 4 percent of participants were employed; 14 percent were considered underemployed; and 82 percent were unemployed. Sex equity programs resulted in increased employment, such that Pennsylvania has calculated a savings of $1,966,524 per year due solely to reductions in public assistance—a 56 percent return to the state on the total Perkins funds used for sex equity and displaced homemaker/single parent programs.

Persistent Sex Segregation. The National Assessment of Vocational Education (NAVE) in 1992 showed vocational education majors continue to be highly sex-segregated. Female students were only 23 percent of enrollees in trade and industry, but 70 percent of enrollees in health. Students concentrating on technical education are 72 percent male.

Congress enacted the School-to-Work Opportunities Act in 1994 in order to ensure that all students—male and female—acquired the education and training that would

lead to high-skill, high-wage jobs and diminish the stubborn sex segregation. However, career tracks are readily identifiable by gender. In addition, little attention has been paid to ensure that School-to-Work programs truly serve all students, as the law requires. For example, School-to-Work programs identified as "promising" by Jobs for the Future have made little progress in ensuring that sex segregation is not a problem. The Craftmanship 2000 program in Tulsa, Oklahoma, which offers a program in metalworking, is predominately male: women make up only 21 percent of enrollees. In contrast, the Kalamazoo County Health Occupations Program in Michigan is overwhelmingly comprised of women—77 percent of enrollees are female, 22 percent are male. The federal School-to-Work Office has yet to undertake a systemic effort to ensure that the state efforts to build school-to-work systems do not replicate this pattern.

Non-traditional Occupations—Key to a Living Wage. The importance of increasing women's and girls' access to non-traditional career opportunities is clear. In 1992 the Bureau of Labor Statistics found that women in these jobs earn 20 to 30 percent more than women in traditional occupations. Yet, only 6.6 percent of all working women were employed in such occupations. These jobs are of particular importance for women who are single mothers and displaced homemakers. The 1990 census data revealed that these women have higher poverty rates—42 percent for displaced homemakers and 44 percent for single mothers, compared to 11 percent for all adult householders. Still, single mothers and displaced homemakers were overrepresented in low-wage service jobs. Education level is the most important factor in determining the likelihood that displaced homemakers and single mothers will live in poverty.

Congress will be reauthorizing vocational education legislation in the summer of 1997. In the current climate of "devolution," some members of Congress have indicated they do not favor continued set-aside requirements, even in the face of data demonstrating their success. Some lawmakers also are disinclined to continue to require states to employ a full-time sex equity administrator, even though it is likely that states will discontinue these efforts altogether. Other

Room for Improvement

- **Sex segregation persists in vocational education—men are clustered in high-skill, high-wage job tracks; women in the low-wage, traditionally female tracks.**
- **New School-to-Work programs also are segregated by sex.**
- **Congress is poised to eliminate programs that have encouraged women to pursue non-traditional occupations, despite their proven success in moving women to self-sufficiency.**

lawmakers show some interest in continuing to require states to carry out the sex equity functions.

Grade: C

Recommendations:

- Congress should maintain funding levels for sex equity programs and services, including supportive services and professional development for non-traditional training, and maintain the state equity leadership position and the related functions.
- Congress should establish a uniform data collection system for evaluating state efforts at achieving equity and accountability standards that measure progress in sex equity and establish an incentive program rewarding states that annually increase the number of students trained and placed in non-traditional careers.
- The federal School-to-Work Office and the Departments of Labor and Education should develop strategies to ensure that recipients of School-to-Work funds are building gender equitable systems, starting with site visits to assess state efforts at serving girls, young women, as well as other underserved populations.
- The federal School-to-Work office should develop a data collection system that tracks the numbers of women entering and pursuing non-traditional occupations. Data should be disaggregated to examine the progress of women of color.
- The Office for Civil Rights should enforce Title IX's requirements in the School-to-Work setting as well as in vocational education, paying particular attention to addressing the causes of sex segregation, such as gender-based and sexual harassment.

Employment

C-

The hearings leading up to the passage of Title IX were replete with statistical and anecdotal information highlighting the second-class status of women working in educational institutions. At that time, employment for women in education was characterized by:

- lack of tenure in colleges and universities, particularly elite institutions;
- nepotism rules that locked women out of teaching positions where their husbands were employed;
- slower promotion rates than those of their male counterparts;
- smaller salaries than those of their male colleagues;
- little access to high-level administrative positions; and
- virtually no opportunities to head colleges and universities, even in womens institutions

After 25 years of Title IX and a Supreme Court decision declaring that Title IX prohibits employment discrimination based on sex in education, there has been progress, but there is much room for improvement. Notably, a pattern so evident at the time lawmakers debated Title IX persists: namely, women's numbers tend to decrease as the rank in the career ladder or the prestige of the educational institution increases. Women still have a long way to go to attain full equality with men in employment in educational institutions.

Women on Faculties. Before Title IX, career opportunities for women in education were concentrated in elementary and secondary classrooms across the country. At the hearings for Title IX, there was testimony that women were about 68 percent of teachers in elementary and secondary schools, 22 percent of elementary school principals, and just 4 percent of high school principals. In addition, witnesses testified that the National Education Association (NEA) found only two women among 13,000 school superintendents.

In higher education, the picture was no better. In the early 1970s, women comprised about 18 percent of the teaching faculty in colleges and universities in this country, clustered primarily in institutions that served women. For example, women accounted for 40 percent of the faculties in teachers' colleges.

Percentage of Women Teaching in Higher Education		
Status	**1970**	**1993**
Full Professors	8.7	17
Assistant Professors	19.4	30
Associate Professors	15.1	42
Instructors	32.5	49

Twenty-five years after Title IX's enactment, women have improved their numbers on faculties, but remain significantly underrepresented in top positions. During the 1993-94 school year, the most recent year for which data is available, approximately 73 percent of elementary and secondary school teachers were women, but only 35 percent of school principals were women.

Women now make up less than 30 percent of all faculty members in colleges and universities, which is particularly striking since women earn closer to 40 percent of all doctoral degrees. Women are most numerous at two-year public colleges, making up 37.9 percent of faculty members, and are least represented on faculties at private four-year colleges and universities with significant research facilities, where they are only 19.5 percent of the faculty. Before Title IX, women were 10 percent of the faculty at such institutions.

In addition to making up a minority of the teaching faculty at colleges and universities around the country, women generally have remained in the lower faculty ranks, just as was true before Title IX's enactment. A study by the NEA cited during Title IX's hearings found that women made up 32.5 percent of instructors, 19.4 percent of assistant professors, 15.1 percent of associate professors, and 8.7 percent of full professors. Only 9 percent of women who embarked on college teaching careers attained the rank of full professor at that time. Women were promoted far more slowly than their male counterparts, and they often lacked tenure.

In 1993, women were 17 percent of all full professors, 30 percent of associate professors, 42 percent of assistant professors, and 49 percent of instructors. Women of color made up 1.9 percent of full-time professors. Forty-one percent of all female faculty were employed part-time, compared to 29 percent of male faculty. In 1994, 72 percent of all male teachers were tenured, compared to only 48 percent of female faculty.

Women in Administration. When Title IX became law, women were noticeably absent at the administrative level in educational institutions across the country. Women reached the rank of department chair at the absurdly low level of less than one percent.

The number of women college presidents—less than 150—was incredibly low even at women's colleges.

Today, more than 450 educational institutions are headed by women. However, there are approximately 3,400 institutions of higher learning in this country, which means fully 87 percent are headed by men. Women administrators are more likely than men to hold positions in external affairs and student services than in executive, administrative, and academic affairs. Within each of these administrative categories, women on average are employed at lower ranks and earn lower salaries than their male counterparts. Salary differences are especially prevalent in the upper ranks.

Wage Gaps. Equal pay for equal work has not been a reality for women employed in educational institutions. Before Title IX, women received smaller salaries than their male colleagues at all faculty ranks, and the wage gaps increased as they progressed up the career ladder. During the hearings on Title IX, there was testimony that women professors received an average salary of $11,649, compared to $12,768 for men.

Women still have not achieved parity 25 years later. According to the American Association of University Professors, the average salary for women full professors for academic year 1996-1997 was $60,681. In contrast, male full professors earned on average $69,569. Women thus earned only 87 percent of the salaries received by their male counterparts. Similar gaps exist for women associate and assistant professors: women associate professors earned only 93 percent of the salaries earned by their male counterparts, and women assistant professors earned 93 percent. Thus, 25 years after Title IX became law, women are still being paid significantly less than their male counterparts.

As in higher education, the salaries of women teachers and principals in elementary and secondary education continue to lag behind the salaries of their male counterparts. For example, the average base salary for full-time female teachers in public elementary schools during the

Room for Improvement

- **Women are less than 35 percent of school principals.**
- **Women are 17 percent of all full professors. Women of color are only 1.9 percent of full professors. Women are least represented at elite educational institutions, making up just 19.5 percent of the faculty.**
- **Research indicates that women faculty are evaluated more harshly by their colleagues and students than male faculty.**
- **Women head 13 percent of colleges and universities.**
- **Pay inequities persist: women full professors earn 87 percent of the salaries their male counterparts receive; women elementary school teachers earn 92 percent of the salaries their male counterparts receive.**

1993-94 school year was $33,384, compared to $36,182 for men; the average base salary for full-time female teachers in private elementary schools was $21,657, compared to $28,948 for men. Salaries for male and female principals in public elementary schools had the smallest discrepancy: women principals had an average salary of $54,736 while male principals average $54,922. In private elementary schools, the average salary for women principals was $27,701, compared to $32,039 for men.

The persistence of these disparities is troubling given that the Supreme Court ruled in 1982 in *North Haven Board of Education v. Bell* that Title IX prohibits sex discrimination in employment in federally funded education programs. Despite this decision, many lower courts have held that Title VII—the federal statute that prohibits discrimination in employment based on gender, among other characteristics—provides the exclusive remedy for individuals alleging employment discrimination based on sex in federally funded educational institutions. Some courts appear reluctant to allow plaintiffs to recover damages for employment discrimination under Title IX because the statute does not have a cap on damages (which Title VII does).

Title IX clearly was intended to protect women from discrimination by educational institutions in the employment context. Yet, despite this clear intent and a Supreme Court decision affirming this proposition, women still lag behind men in nearly every aspect of faculty and administrative employment at educational institutions. While the gaps may have closed to some extent in the years since Title IX became law, significant disparities persist.

Grade: C-

Recommendations:

- OCR should include employment issues in its enforcement efforts, including conducting compliance reviews, collecting data regarding the status of women employed in educational institutions, and referring cases of noncompliance to the Department of Justice.
- The Departments of Education and Justice and the Equal Employment Opportunity Commission should collaborate on reinstating data collection of employment data from elementary and secondary school systems, as well as the schools within such systems or districts. This practice was discontinued in 1996. In addition, similar efforts should be made regarding institutions of higher learning. Such data is critical for civil rights enforcement.

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- Postsecondary institutions should gather their own statistical information, such as data regarding salaries, benefits, promotions, special perquisites, awards, grants, course load, advising load, and committee assignments, to determine if men and women at all ranks and within all units are treated equitably.
- Administrators at postsecondary institutions should monitor and train search committees so that they understand and can address the barriers to hiring women.
- Postsecondary institutions should ensure that each search committee includes an affirmative action "advocate"—not necessarily a woman or a person of color—who works to ensure that the committee treats all candidates fairly.
- Postsecondary institutions should develop an exit interview process to solicit information about the climate for women and other issues from faculty members and staff who leave for other employment, whatever the reason.

Learning Environment

C-

Title IX's passage outlawed policies and practices that discriminate on the basis of sex in education, including overt discrimination, sexual and gender-based harassment, and blatant bigotry. However, more subtle forms of discrimination that generally do not fall within Title IX's scope often contribute to a classroom climate that is "chilly" or even shattering for females. Title IX, in large part, has paved the way for research regarding the chilly climate—including teacher expectations, interactions between teachers and students, and the content of what students actually learn. While many of these elements are not covered by Title IX, these factors have a great impact on the extent to which students can benefit from education programs. In this regard, an examination of the learning environment is critical to assessing the nation's progress toward achieving gender equity in education.

Classroom Effectiveness and Instructional Strategies. Twenty-five years ago, the co-ed classroom was filled with gender stereotypes and segregation. Class tasks like housekeeping or handling messages were designated by gender. Reading was deemed the girls' arena; math and science were set aside for boys. Textbooks to educate teachers reinforced stereotypes about male and female students and set the stage for disparate expectations of students. For example, one textbook informed teachers that girls had an advantage over boys in reading because they had an innate ability to sit still.

Even today, at all levels of education, males and females often are treated differently, even by the best-intentioned teachers. Girls and women typically get less attention, less praise, less criticism, and less encouragement. When males speak, teachers often engage in a dialogue with them, while girls and women are more likely to receive the ubiquitous "uh-huh." College women frequently are interrupted more often and called upon less in many classes. These and other subtle behaviors are often unnoticed by faculty or by students, but they create a chilly climate that dampens female students' ambitions and diminishes their self-esteem and confidence, which in turn, can affect their academic performance.

In elementary and secondary schools, these differences exist as well. Females frequently receive better report card grades, perhaps in part for their quiet and agreeable behaviors. Males, on the other hand, who are socialized to be active and aggressive, find that these same behaviors in the classroom are unacceptable. Thus, males, particularly

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males of color, get disciplined more often and more harshly. Paradoxically, this better behavior by females frees the teacher to focus upon males, not only for discipline, but for instruction as well. The result is that boys benefit with more chances to answer, demonstrate knowledge, and think critically. Just as in the context of higher education, teachers in elementary and secondary schools provide males with more frequent and more precise feedback, including acceptance, praise, criticism, and remediation, all of which promote and direct their achievement. Thus, as documented, for example, by a 1992 study by the AAUW Educational Foundation, females with special needs or talents are too often underrepresented in educational programs for students with learning disabilities or for gifted students. Similarly, male and female students of color are at an extra risk of being misplaced or overlooked in these programs.

Curricular Materials and Learning Environments. Until the 1970s, females and people of color would rarely find themselves reflected in educational materials that were dominated by the information and actions of males. For example, there was testimony during Title IX's hearings that 72 percent of stories in a total of 144 readers used in New York City schools focused on boys. The boys depicted in readers typically were active, playing games, making things, learning, or working with their fathers, for example. In contrast, the remaining stories about girls depicted them as passive, engaging in activities such as playing with kittens, getting into trouble, and being helped out by their brothers. There also was testimony that teachers made assignments to students that reflected gender stereotypes. Math problems for young women involved recipes, while such problems for young men involved high finance. Higher education was no better. For example, researchers Myra and David Sadker found in a targeted 1979 study that no teacher education textbooks discussed women's role in the history of American education.

At the postsecondary level, women's studies programs emerged in the early 1970s as one challenge to the invisibility of women in the

The Unwritten Curriculum

A 1979 study of textbooks for educators found this grammar lesson for children that sends not-so-subtle messages about gender and ethnicity:

John works.
Julio gardens.
Mary teaches.
Ramon farms.
Enrique drives a truck.
Mr. Jones practices law.
Marianna cooks.
Mrs. Chacon makes dresses.
Mr. Acosta plays chess.
Larry studies at the university.

college curriculum. At that time, there were only 17 courses nationwide offered in women's studies in colleges and universities. According to the National Women's Studies Association, that number has mushroomed to thousands, with universities and colleges offering more than 600 programs in which students can major, minor, or earn a certificate in women's studies. Despite the emergence of women's studies, however, climate issues still affect women in higher education, particularly women pursuing math, science, or engineering. Women in these fields frequently encounter indifference, exclusion, and outright hostility in the form of gender-based and sexual harassment. This environment impedes women's access to math and the sciences, two areas with significant earning potential.

At the elementary and secondary level, there have been a number of strides made toward improving the learning environment for all students. For example, several schools have incorporated diverse learning strategies and reinforced a broader understanding of intelligences, so that expectations can be both high and realistic for all. Staff developers, teacher trainers, and teacher educators in some schools have integrated equitable and effective instruction that has enhanced classroom treatment for every student. Researchers continue to investigate the treatment of students and provide gender (and related diversity) focused research results for the whole educational community.

Similarly there have been advances regarding curriculum and classroom materials that have benefited all students. Several school systems have text selection committees that use objective assessment tools to analyze books for gender equity (as well as race, ethnicity, and class) to overcome underrepresentation, stereotyping, and other forms of bias. Educational leaders and curriculum developers have worked with publishers to develop better and more inclusive materials. Federal or other public funding has led to the creation of special programs and distribution of materials that are diverse and exciting. Advanced technologies (computer hardware and software and Internet access) that are gender attuned and avoid traditional and stereotypic products have been developed. Many teachers have supplemented biased or dated resources with new and better materials.

Research also caused educators to focus on the physical environment of the classroom as a barometer of the climate. For example, the desks and students are often segregated by sex. Teachers find themselves focusing instruction or management in "hot" areas of the room, which is often the center or male section of the class. Images on the walls—from posters and pictures to prose and codes of conduct—reinforce the dominance and power of males and masculine activities. Linguistic bias supports females' invisibility, with words like "he" and "mankind," terms that exclude and minimize the

presence and position of females. The classroom is filled with messages and meanings, coming from the images that are displayed and the language that is used. If the range of materials used to teach students is gender-biased, it is inevitable that the learning will be.

Room for Improvement

- **Across the board, female students typically get less attention, praise, criticism, or encouragement than male students.**
- **Teachers' focus on male students means that female students with special needs or talents are underrepresented in educational programs for students with learning disabilities or for gifted students.**
- **Congress's decision to eliminate Title IV state educational agencies means that most schools are without a critical source of materials, curricula, and other resources to promote educational equity.**

State educational agencies funded by Title IV of the Civil Rights Act of 1964 have helped educational institutions address gender bias, as well as discrimination based on race and ethnicity. Title IV agencies have provided schools with materials, curricula, and strategies to improve the classroom climate. However, Congress decided not to fund these important activities for fiscal years 1996 and 1997. As a result, only four states have continued to provide this assistance, despite the great need for and Title IX's mandate to ensure that students are provided a non-discriminatory environment in which to learn.

Grade: C-

Recommendations:

- Congress should reinstate funding for Title IV state educational agencies, which have helped schools across the country improve the classroom environment for all students.
- Educators should instruct students about individual similarities and differences, on acknowledging and respecting gender diversity, and on becoming advocates for themselves and others.
- Educators should make achieving gender equity a key priority and continue receiving training to overcome bias and discriminatory practices in classrooms.
- Educational institutions should comply with Title IX's requirements, including assessing and correcting practices that lead to inequitable treatment of students.
- Scholars should conduct additional gender-focused research, examining student treatment in single-sex, dominant sex, bi-racial, multicultural, and "homogeneous" classrooms.

Math and Science

C+

The enactment of Title IX 25 years ago removed many barriers to women and girls in the non-traditional fields of math and science, areas critical to their success in an increasingly technological world. However, disparities based on gender still exist in achievement and participation rates in these disciplines. Gender differences in math and science start small and grow as students reach secondary school, where boys outperform girls on standardized tests and participate in math and science classes at higher rates. In postsecondary schools, young men go on to major in math and the sciences in rates that exceed those of young women, many of whom are shut of out of the career opportunities these fields can provide.

Exclusion and Underachievement. Before Title IX, educators, guided by stereotypes that girls could not achieve in math and science, sometimes steered high school girls from higher-level math and science classes and frequently excluded them from extracurricular activities such as science and math clubs. Not surprisingly, girls' achievement in science and math courses was lower than that of their male counterparts.

Science: The 1969-70 National Assessment of Education Progress (NAEP) of the country's students in science found grade school and middle school boys outscored girls by an average 5 points; in high school, the gap increased to 17 points. Today, the disturbing pattern persists, but the high school gap has shrunken to 11 points, thanks in part to Title IX.

Performance levels also vary by gender. Among eighth graders, the 1977 NAEP found 14 percent of boys performing at the highest levels, compared to only 9 percent of girls, a 5-point gap. In high school, the gap grew to a yawning 21 points, with 61 percent of senior boys performing at the highest levels, compared to only 40 percent of senior girls. The past 25 years have done little to close the gap: 1994 NAEP data (more recent NAEP data use different measures and therefore cannot be compared easily against 1970s data) recorded the same 10-point gap for eighth graders and an only slightly improved 19-point gap for high school students.

Math: Just as in the case of science, the gender gap in math starts out small in the early grades and grows by high school. The 1973 NAEP found that girls narrowly outscored boys at the fourth- and eighth-grade levels; by high school, however, girls had

fallen behind by 8 points. By 1994 girls had lost their early edge but had moved up in high school to within 5 points of boys.

Performance levels vary by gender in math, just as in science. In 1978, 10 percent of senior boys performed at the highest math level, compared to 5 percent of senior girls. This gap also has narrowed: 1994 NAEP data measured the gap of high math proficiency at 3 points. However, on high-stakes tests, such as the SAT, the gap is much greater. Although girls' performance on the math SAT has improved somewhat, College Board data show boys still outscored girls by 35 points in 1996, compared to 44 points in 1972.

The persistence of the gender gap in high school—and its tendency to grow as students advance in grade—continues to be a subject of great concern. This gap continues in higher education and in careers in math- and science- related fields. According to the American Association of University Women, gender differences in confidence—students' belief in their ability to learn and perform well—correlate strongly with interest in math and science. Girls doubt their confidence in math and science more often than boys.

Participation Rates. Girls' participation rates have unquestionably increased since the passage of Title IX. For example, as recently as 1986, only 8 percent of high school senior girls had taken physics compared to 14 percent of boys; 39 percent of senior girls had taken chemistry compared to 42 percent of boys. By 1994, 16 percent of high school senior girls had taken physics and 55 percent had taken chemistry. And schools can no longer stop girls from taking part in math- and science-related extracurricular activities.

However, female students' participation rates decline once they enter postsecondary institutions, and steadily decrease as degree level increases. For example, in 1994:

- In biology, women received 51 percent of bachelor's degrees, but only 41 percent of doctoral degrees.
- In computer sciences, women received 28 percent of bachelors, 26 percent of masters, and 15 percent of doctoral degrees.

Room for Improvement

- **The gender gap persists in girls' science and math achievement as measured by the NAEP, starting small in elementary school, and increasing in high school.**
- **In high-stakes tests, such as the math SAT, large gaps persists, with girls scoring 35 points less than boys.**
- **Female students' low participation rates in math and science classes decline as they advance in higher education.**

- Women's participation in engineering stays small and shrinks, with women receiving 15 percent of bachelor's degrees, 15 percent of master's degrees, and 11 percent of doctoral degrees.

As discussed in the section titled "Access to Higher Education," the drop in female students' participation rates in math and science likely is due, in part, to the hostile environment they encounter in these fields. Women students frequently are regarded as tokens in math or science and excluded from full participation in laboratory and field work, or experience sexual and gender-based harassment in these settings.

In addition, research shows that girls lag behind in computer usage. Although more girls in school are using computers for homework and telecommunicating, extracurricular activities such as computer clubs and contests are still overwhelmingly male. Although software companies are now marketing to girls, the games often rely on sexist plots such as mall shopping and nabbing a boyfriend. Although more girls are taking lower-level computing courses, only 16 percent of Advanced Placement computer science test takers are girls. We still have a long way to go.

Steps Forward. Teaching methods already exist to encourage and engage all students and to otherwise decrease or eliminate the gender gaps in math and science. However, educators and administrators must begin to employ these teaching methods in earlier grades if the gender gap is to disappear. Further, educators and administrators must look for ways to encourage girls to pursue math and science while in secondary school so that more women will enter these fields in college and pursue related careers.

Grade: *C+*

Recommendations:

- Congress should increase and target funding for the Eisenhower Professional Development program so teachers can learn techniques to close the gender gap in math
  and science.
- Educators should ensure that girls are active participants in science and math classes in order to maximize their understanding of these fields.
- OCR should step up its enforcement by conducting compliance reviews to determine the causes for women's decreased participation in math and science in higher education and by taking action against those educational institutions that allow hostile environments in these areas to persist.

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Sexual Harassment

D+

Assessing the progress of the nation's schools in confronting sexual harassment is a challenge, since this form of sex discrimination first was recognized in the employment setting in 1976, fully 12 years after Congress enacted Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination in the workplace, and four years after Title IX's enactment. Just as in the employment context, sexual harassment in school is a barrier of imposing proportions to girls and women trying to move ahead, affecting female students in educational institutions ranging from elementary schools to post-graduate schools.

The Supreme Court made clear in its unanimous 1992 decision in *Franklin v. Gwinnett County Public Schools* that Title IX prohibits this form of sex discrimination. Despite this clear statement, the pervasiveness of sexual harassment and the devastating impact it has on its victims and their ability to pursue an education remain constant. Simply put, sexual harassment remains a significant impediment to gender equity for girls and women across the board.

Looking Back. There are no benchmark data from the early 1970s regarding sexual harassment; however, the effort to combat and eradicate this barrier reaches back to just a few years after Title IX's enactment. In 1977, one year after the first district court decision recognizing sexual harassment in the workplace, a district court, in *Alexander v. Yale University*, identified such misconduct in colleges as a violation of Title IX. The court found that Title IX prohibits making educational benefits contingent upon sexual demands, a form of sexual harassment now known as "quid pro quo." Three years later, in 1980, the National Advisory Council on Women's Educational Programs recommended that OCR issue a federal policy on sexual harassment so that schools and colleges would understand their responsibility to stop or prevent sexual harassment. During the mid-1980s, two federal courts issued opinions in cases involving medical students, again recognizing sexual harassment as a violation of Title IX. In 1992, the Supreme Court ruled in *Franklin*, a case involving a high school student subjected to a sexually hostile environment created by a teacher, that Title IX prohibits sexual harassment. It also ruled that persons harmed when schools violate the statute may recover damages.

Sixteen years after the National Advisory Council on Women's Educational Programs made its recommendation, OCR issued a policy guidance on sexual harassment. This

long-awaited policy fills an important need, outlining Title IX's requirements in this area and providing schools with much needed help in defining, addressing, and preventing sexual harassment. The guidance makes clear that inaction is never the right response to sexual harassment and urges schools to adopt policies and procedures that help prevent such misconduct in the first instance.

Despite these significant advances, some recent court decisions threaten to limit students' protection from sexual harassment, harking back to the days when courts dismissed such misconduct as a "personal" matter, which employers should not be expected to control. For example, one federal district court dismissed a Title IX claim of student-to-student sexual harassment in 1994, reasoning that student actions are not programs or activities for purposes of Title IX. In 1996 a federal appeals court ruled that schools can be liable for student-to-student sexual harassment only when they treat the complaints of boys differently than those of girls—effectively advising schools to ignore complaints of all students. These court opinions suggest that sexual harassment is just a fact of life that should be tolerated and not regulated or eradicated through the judicial system, an attitude long abandoned in the context of employment. These decisions ignore the scope of the problem and the impact harassment has on its victims' ability to receive an education.

The Scope of Sexual Harassment. Sexual harassment is widespread, affecting girls and boys, students in elementary through postsecondary schools. Originally, efforts to address sexual harassment focused on students harassed by faculty. In recent years, additional focus has been placed on student-to-student harassment. Regardless of the form, research has shown sexual harassment to be a barrier to students across the board as they pursue educational opportunities.

The Pervasive Reach of Sexual Harassment

- **81 percent of eighth through 11th graders surveyed have experienced sexual harassment.**
- **79 percent of eighth through 11th graders reporting harassment say they were targeted by another student.**
- **Approximately 30 percent of undergraduate students and 40 percent of graduate students surveyed have experienced sexual harassment.**
- **Approximately 90 percent of postsecondary students reporting harassment say they were harassed by another student.**

According to a 1993 study by the American Association of University Women (AAUW) Educational Foundation, 81 percent of students surveyed in eighth through 11th grades had experienced some form of sexual harassment, with girls experiencing

harassment at a slightly higher rate than boys—85 percent versus 76 percent, respectively. Similar results were reported most recently by a 1996 survey conducted by the USA Today/Weekend. AAUW found that sexual harassment had a stronger emotional impact on girls, causing many to lose interest in school and diminishing their academic performance.

Sexual harassment affects students of all ages. The AAUW Educational Foundation's study found African American girls experienced harassment even before they reach grade six. Other studies indicate that, at the college level, approximately 30 percent of undergraduates and 40 percent of graduate students had experienced some form of sexual harassment, with student-to-student sexual harassment the most common occurrence by far—about 90 percent of students reported experiencing this form of harassment. The breadth of the problem also is reflected in the increasing number of complaints filed at the Department of Education's Office for Civil Rights. In 1988, OCR received 28 sexual harassment complaints; by 1996, that number had increased to 152.

Combating Sexual Harassment: Effective Sexual Harassment Policies

The first step in preventing sexual harassment is developing an effective policy to combat it. Some key elements include:

- **User-friendly language, demonstrating the institution's commitment to ending sexual harassment and other forms of harassment.**
- **Definition of sexual harassment, making clear that harassment is a violation of Title IX. The definition should include examples of prohibited conduct.**
- **Procedures to be followed for making formal and informal complaints of sexual harassment, identifying the contact person.**
- **Provisions to protect victim's confidentiality and ensure no retaliation.**
- **Description of other legal remedies available to victims, including filing a complaint with the regional OCR office.**
- **Wide accessibility of the policy throughout the institution.**

Inaction by Educational Institutions. The detrimental effects of sexual harassment are only compounded by schools' failure to have policies and procedures in place to address this issue meaningfully. For example, only 8 percent of the respondents to a study conducted in 1993 by the NOW Legal Defense and Education Fund and Wellesley College Center for Women reported that their school had and enforced a policy on sexual harassment. Schools without policies are less likely to take action against an alleged harasser: schools with policies took action in 84 percent of cases, compared to schools without policies doing so only 52 percent of the time. Some schools have adopted policies, such as Framingham High School in Massachusetts, which enlists the support of all teachers to help students who have been harassed.

However, far too many schools have not developed meaningful policies that are comprehensible and accessible to students and parents.

Title IX Enforcement. As useful as the newly released sexual harassment policy guidance is, it is no substitute for systemic and targeted enforcement on the part of OCR. Beyond issuing the guidance and addressing individual Title IX complaints in this area, OCR has not made use of its authority to conduct compliance reviews to ensure that educational institutions have policies in place and are addressing sexual harassment appropriately. In addition, OCR needs to make a greater effort to ensure that educational institutions are aware of the new policy and their obligations under Title IX. This important piece of the enforcement effort is critical to eradicating sexual harassment.

Grade: D+

Recommendations:

- OCR should increase its enforcement, making use of its authority to conduct compliance reviews and refer cases to the Department of Justice.
- OCR should work systematically with community-based organizations and advocacy organizations to heighten awareness and conduct technical assistance about sexual harassment and the new policy guidance.
- Other federal agencies should adopt OCR's sexual harassment policy guidance and devise and pursue their own enforcement strategies for the education programs and activities they fund.
- Educational institutions should adopt strong, comprehensive, and comprehensible sexual harassment policies and enforce them.
- Educators should recognize that sexual harassment is a symptom of ongoing gender bias and incorporate teaching methods to address and eliminate this form of discrimination in the classroom.

Standardized Testing

C

Standardized tests have long played a major role in allocating educational opportunities to our nation's students—opportunities that, in turn, are the gateway to success in competitive job markets and the key to economic security. But for female students, these tests frequently have been a gatekeeper, barring access to progress.

Before Title IX's enactment, many schools not only administered tests in a gender-biased manner, but also interpreted test results in a way that reflected stereotypes rather than providing real insight into students' interests and capabilities. For example, in the 1960's and early 1970's, there were two versions of the Strong Vocational Interest Blank, a commonly used vocational test: pink for young women and blue for young men. On this test, young men were asked whether they'd like to be President; in contrast, young women were asked whether they'd like to be the wife of the President.

Other less blatantly biased tests have been shown over the past 25 years to be flawed assessment tools that unfairly disadvantage girls. Title IX has provided a means for ensuring tests are designed and used in a manner that is free from gender bias. While a number of constructive steps have been taken since the law's enactment to eliminate these biases, it is imperative that such tests continue to be scrutinized closely for fairness, particularly since increased emphasis is now being placed on standardized testing in the context of national education reform.

Gender Gaps. There is a substantial record of disparities in scoring between male and female students on many standardized tests dating from before Title IX's enactment and continuing over the last 25 years, gaps that have had a harmful impact on educational and economic opportunities available to women and girls, as well as students of color. Under Title IX, tests must be valid predictors of success in the areas being tested. In other words, the test must measure what it purports to measure. If the test does not, and if it produces a scoring deficit for one sex, it has a discriminatory impact on the members of that sex and is unlawful.

Gaps in scoring have appeared on the most frequently used vocational aptitude tests in secondary schools: the Armed Services Vocational Aptitude Battery (ASVAB) and the Differential Aptitude Test (DAT), and on career interest inventories. Secondary schools have long relied on these tests for career counseling and vocational education placement, even without evidence showing that they are valid measures of future performance.

Schools that rely on such tests frequently use the results to steer young women into careers that are traditional for their sex, with lower earning power and fewer opportunities for upward mobility.

The past 25 years also have seen gender gaps in college admissions tests. Since 1972, females consistently have scored lower than males on the SAT, in both the verbal and math sections of the test, with girls falling behind boys in math by as many as 61 points. In 1996, the average combined SAT score of boys was still 39 points higher than that of girls, a pattern that persisted within every racial and ethnic group. There also are disparities in the PSAT, used for college scholarships, and the ACT, used for college admissions, as well as most examinations for admission to professional and graduate school. As with the tests used in the vocational setting, there are questions regarding whether these tests accurately predict students' achievements. For example, research has shown that the SAT, which is designed to be an indicator of first-year college performance, underpredicts females' performance: while young women score lower than young men on the SATs, they earn higher grades when matched for the same courses in all subjects in their first year in college.

The Educational Testing Service (ETS) issued a report in 1997 concluding that while there are some important differences in the performance of boys and girls on standardized tests, the average differences are small. The ETS study, however, confirms that large gender disparities persist on the high-stakes tests such as the SAT and PSAT. The report does not refute ETS's earlier acknowledgment that the SAT underpredicts women's college performance while overpredicting that of male students. The ETS contends that the gaps that do exist on high-stakes tests are in part the result of differences in interests and experiences, rather than biases in testing. The fact that women earn higher grades in the same subjects appears to belie this justification.

Whatever its causes, the gender gap on the PSAT and the SAT has a demonstrable impact on girls and women in several ways. Results on these tests directly affect a student's chances of gaining admission to the college of her choice. They frequently are the basis for selecting students for participation in programs for "gifted and talented" youth. In addition, they are a major factor in determining eligibility for valuable college scholarships. For example, each year more than one million high school

Mean Combined SAT Scores

Year	Male	Female	Gender Gap
1972	959	913	46
1996	1034	995	39

juniors compete for a share of the $27 million awarded through the prestigious National Merit Scholarships, which are based solely on PSAT scores. Because girls, on average, score significantly lower than boys on the PSAT, they receive only 40 percent of the Merit Scholarship awards even though they are 56 percent of the test-takers.

Closing the Gaps. In 1997, the College Board and ETS, which administer and design the PSAT (along with the SAT), agreed to revise the PSAT to include a test of written English to better reflect important educational priorities, as part of a settlement of a complaint filed with the Education Department's Office for Civil Rights (OCR). It remains an open question whether this revision will, in fact, close or reduce the gender gap. The complaint alleged that the PSAT was gender biased in violation of Title IX and that it hurt young women because National Merit Scholarships, the eligibility for which is based on PSAT scores, were awarded disproportionately to male candidates. In addition to settling this complaint, the College Board has stated that it already eliminates questions that are determined to favor one gender unfairly over the other, in an effort to make all of its tests as fair as possible.

Room for Improvement

- **Scoring gaps have appeared in a wide variety of tests: the Armed Services Vocational Aptitude Battery, the Differential Aptitude Test, the SAT, PSAT, and other tests for admission to professional and graduate school.**
- **Reliance in tests persists despite questions about their predictive validity. For example, research shows the SAT underpredicts young women's performance in college.**
- **The gaps affect educational benefits available to girls and women. For example, girls receive only 40 percent of National Merit Scholarships, even though they are 56 percent of test-takers for the PSAT, the sole criterion for these awards.**

Other efforts have been made to reduce unfair uses of standardized tests, beyond the agreement on the PSAT. Many colleges no longer require applicants for admission to submit SAT or ACT scores. And some scholarships no longer are based solely on test scores. For example, in 1989 a federal court held in *Sharif v. New York State Education Department* that the State of New York no longer may rely exclusively on SAT scores to determine the award of state Regents and Empire State college scholarships because such reliance had a discriminatory impact on female students in violation of Title IX: the record showed that while boys were 47 percent of the scholarship competitors, they received 72 percent of the Empire Scholarships and 57 percent of the Regents Scholarships. The court ordered the state to award these scholarships in a manner that

more accurately measures students' high school achievement. As soon as the state began to take grades into consideration, the scholarship awards became more equitably distributed among male and female students.

Persistent Scoring Differentials. While these are laudable steps forward, and gender differences on many standardized tests are in fact declining, significant differences remain in many areas. For example, while the gender gap in math appears to be diminishing, there is evidence that gender differences on science tests for students aged 9, 13, and 17, as tracked by the National Assessment of Educational Progress (NAEP), have not declined and may be increasing, even though girls receive grades in science that are as high as or higher than those of boys. It is therefore critical that standardized tests continue to receive close scrutiny to ensure that their design is not biased and that they are used only for purposes for which their predictive validity has been demonstrated. The need for vigilance is particularly acute since attacks on affirmative action have prompted some colleges to rely more heavily on standardized tests in their admissions decisions, and current proposals by the Clinton Administration would make nationwide, standardized fourth-grade reading and eighth-grade math tests the centerpiece of an effort to improve this country's educational performance. Holding schools accountable for their effectiveness in educating our nation's students is a worthy objective, but the drive for education reform must not be allowed to run roughshod over our commitment to testing that is fair to all students.

Grade: *C*

Recommendations:

- National efforts to test students' proficiency in math and reading should include rigorous examination of the proposed test instruments to ensure they are valid for their stated purposes.
- OCR should monitor closely the ETS/PSAT settlement to ensure that the revised test is fair and does not perpetuate disparities in eligibility for National Merit Scholarships. OCR also should evaluate other tests, such as the armed forces vocational tests, to ensure that they are valid for their stated purposes.
- Educational institutions should not rely alone on standardized tests as measures of students' achievement or academic potential; they should examine other forms of assessment that better reflect students' level of accomplishment and learning style.

Treatment of Pregnant and Parenting Students

C+

Twenty-five years of Title IX have kept school doors open for pregnant and parenting students, for whom education is the pathway to economic self-sufficiency. However, more work is necessary to ensure that pregnant and parenting teens continue their education. The stakes for these young mothers and their families are especially high now that the nation's welfare system has been altered, placing lifetime limits on the amount of available public assistance.

Closed Doors to Young Parents. Before Title IX was enacted, teen pregnancy generally marked the end of a student's educational career. Students who became pregnant were typically told to leave school so that other students would not be "infected" by what school administrators viewed as a bad example. Teen mothers were not always welcome to return to school after giving birth, particularly if they were unmarried. Although some separate schools for pregnant students and young mothers did exist, they often focused exclusively on so-called "relevant" learning, such as parenting classes, nutrition, and child development courses. Title IX's enactment meant an end to these practices; however, more efforts are necessary to ensure that pregnant and parenting teens may continue their education and move closer to self-sufficiency.

Making Education Accessible. Title IX's proscription against sex discrimination encompasses policies that limit educational opportunities for pregnant and parenting students. The Department of Education made this fact clear in Title IX's implementing regulation, released in 1975. The regulation interpreted Title IX to prohibit schools receiving federal funds from discriminating against students on the basis of pregnancy or marital status, and from discriminating against parenting students on the basis of sex. Under the regulation, schools may not exclude a student from any school program or activity on the basis of that student's pregnancy or related condition. In addition, schools must provide pregnant students with an excused medical leave of absence for a period of time deemed reasonably necessary by that student's doctor, and must reinstate that student to the same status she held when her leave began. While schools may operate separate programs for pregnant and parenting teens, such programs must be completely voluntary, and must be comparable to the instructional programs provided to non-pregnant students. In all other respects, schools must treat pregnancy and related conditions no worse than they treat any other temporary disability that students may experience.

Persistent Discrimination. Despite the important legal protections established by Title IX, many schools continue to treat pregnant and parenting students as second-class citizens. The competing demands of pregnancy and parenthood make school burdensome under the best of circumstances; additional barriers can make it intolerable. Consequently, even the most subtle forms of discrimination can be enough to push these students out of the classroom.

For the most part, schools no longer have explicit policies expelling pregnant students or requiring them to attend separate school programs. However, even this most blatant violation of Title IX still occurs in some schools. For example, until a complaint was filed with the Office for Civil Rights in 1993, the St. Louis public school system had a written policy requiring all pregnant elementary and secondary students to attend a separate school for pregnant students in the district. The school system revised its policy to comply with Title IX after the complaint was filed. Similarly, an Indiana school district was found by OCR to violate Title IX by excluding pregnant students from school. Other significant, if infrequent, reports of school policies explicitly barring pregnant students from school continue to surface.

While national data documenting school practices and policies toward pregnant and parenting students does not exist, anecdotal evidence suggests that other, more subtle types of discrimination against this population occur much more frequently than outright expulsion. For example, some schools require pregnant students to submit frequent letters from a doctor certifying that they are able to stay in school, while students with other temporary disabilities are not subjected to such a requirement. Rather than comply with this additional burden, some pregnant students drop out of schools. Some school officials deny pregnant students the opportunity to do make-up work for missed class time, even though other students who miss school for health reasons are permitted to do so. Many guidance counselors informally counsel pregnant and parenting students to attend a separate school, without informing them that they have the right to remain in their regular school programs. While separate schools for pregnant and parenting students have improved since Title IX was passed, many such schools still shortchange their students with an inferior academic curriculum and a primary focus on parenting and

Ongoing Discriminatory Practices Against Pregnant and Parenting Students

- **Excluding pregnant students from school.**
- **Denying pregnant students the opportunity to make up missed classes.**
- **Requiring pregnant students to attend a separate, frequently less rigorous, school or counseling designed to steer pregnant students to such a school.**

homemaking skills. Pregnant students are not always treated the same as other temporarily disabled students with respect to home instruction programs, excused absences, and special accommodations in scheduling and facilities to enable students to continue their education. Finally, many pregnant and parenting students report a hostile reaction by school teachers and administrators to their situation, making them wish they could disappear from view. Unfortunately, a substantial number of them do.

Impact of Discrimination. Although high school completion rates for pregnant students and teen mothers have increased dramatically since Title IX was passed, much progress remains to be made. Pregnancy and/or parenting are still the most commonly cited reasons why girls drop out of school, accounting for about one half of the female dropout rate and one quarter of the total dropout rate. About half of all young women who give birth at age 17 or younger do not complete high school. This is particularly true for young women of color, whose birth rate exceeds that of white women: the birth rate for Latinas is 13 percent; that of African American women is 19 percent; for white women, 8 percent.

The importance of education to pregnant and parenting teens cannot be overstated. Young mothers who stay in school are much more likely to achieve long-term financial self-sufficiency than young mothers who do not. The children of young mothers also benefit when their mothers finish school. There is a strong correlation between the educational attainment of mothers who give birth in their teens and that of their children.

Grade: C+

Recommendations:

- The Office for Civil Rights should step up enforcement by targeting subtle forms of discrimination against pregnant and parenting students, such as informal counseling practices and use of excused absences.
- OCR also should undertake a public education campaign to inform school administrators, teachers, parents, and students of the rights of pregnant and parenting students under Title IX.
- Administrators in schools and postsecondary institutions should ensure that pregnant females are allowed full access to the curriculum unless there is a medical directive from the student's physician.

ACTION AGENDA

How can we as a nation achieve gender equity? The following Action Agenda provides recommendations designed to create a blueprint for change and move us closer to achieving Title IX's goal of eliminating sex discrimination in education.

This list of recommendations for Congress, administrative agencies, and educational institutions is not exhaustive; people working on these issues undoubtedly will develop additional strategies. However, the Action Agenda, in tandem with efforts by students, parents, and educators in communities throughout the country, can help ensure that gender is not a barrier to educational opportunity.

What Can Policymakers Do?

President Clinton and congressional leaders, both Democrats and Republicans, have identified education as a top priority. Ensuring that educational opportunities are available to all students—irrespective of gender—is critical to providing the students with the training necessary to make the nation competitive in an increasingly global economy. To that end, Congress should take the following steps:

- **Amend the welfare law to allow women on public assistance to pursue postsecondary education** and to allow college study and work study to count toward a welfare recipient's work requirement.
- **Restore funding to the Patricia Roberts Harris Fellowships** to encourage women and students of color to pursue master's, professional, and doctoral programs in areas where they are underrepresented.
- **Strengthen the Equity in Athletics Disclosure Act** to require colleges and universities to provide information on gender equity in their athletic programs to one central government office. In addition, Congress should enact a similar sunshine law to require high schools to disclose publicly information regarding athletic equity.

- **Reinstate funding for Title IV state educational agencies**, which have provided schools with important assistance in their efforts to provide a non-discriminatory learning environment.
- **Maintain funding levels for sex equity programs and services** in reauthorizing vocational education legislation, including supportive services and professional development for non-traditional training.
- **Establish a uniform data collection system for evaluating state efforts at achieving equity** in vocational education and accountability standards that measure progress in sex equity in this area.
- **Establish an incentive program rewarding states for successful equity activities**, particularly states that annually increase the number of students trained and placed in non-traditional careers.
- **Increase and target funding for the Eisenhower Professional Development Program** so teachers can learn techniques to close the gender gap in math and science.

What Can the President and Administrative Agencies Do?

Every administrative agency that provides funding for educational programs or activities has the authority and the responsibility for enforcing Title IX. However, after 25 years, only four such agencies have adopted regulations to enforce the law. Although the Department of Education's Office for Civil Rights is the lead agency for Title IX enforcement, other agencies can and should take proactive measures to make Title IX's mandate a reality. The following steps are crucial:

- **Adopt the Title IX regulations promulgated by the Department of Education**, including all policy guidances that implement Title IX's mandate, particularly the recently released policy on sexual harassment.
- **Develop a comprehensive enforcement plan regarding Title IX** that includes conducting compliance reviews in key areas where barriers persist, such as employment, women's participation in math and science, sexual harassment, athletics programming, and access to non-traditional employment. Such a plan also should include coordinating with the Department of Justice to refer cases of noncompliance.
- **Develop a comprehensive strategy for heightening awareness regarding Title IX's requirements concerning sexual harassment**, which includes informing school superintendents and presidents of colleges and universities about the new sexual harassment policy guidance, working with community based and advocacy organizations, and conducting public education.
- **Ensure that new national testing initiatives** result in fair testing instruments that measure students' performance and achievements in a non-biased manner. This

recommendation applies to the Department of Education, which is taking the lead on this policy initiative.

- **Develop a proactive leadership strategy to ensure that School-to-Work is implemented in a gender equitable manner.** The federal School-to-Work Office and the Departments of Labor and Education should develop strategies to ensure that recipients of School-to-Work funds are building gender equitable systems, starting with site visits to assess state efforts at serving girls and young women as well as other underserved populations.
- **Expand Title IX to cover federally conducted education programs or activities** such as the Department of Defense school system, which encompasses a great many institutions, and fellowships administered by the National Science Foundation. At present, many of these programs are not covered by Title IX.

What Can Educational Institutions Do?

Comply with Title IX's requirements. This includes the following:

- **Designate at least one person as Title IX coordinator** to organize efforts to comply with Title IX and to investigate any Title IX complaints. Ensure that this person carries out the duties of educating faculty, students, and staff concerning their rights, their responsibilities, and the requirements of Title IX. The Title IX coordinator or some other person also could be charged with developing and implementing programs that promote educational equity. Institutions also should provide adequate staff and financial resources to carry out these important tasks. In many colleges and universities, the Title IX/equity coordinator could work closely with a committee, task force, or commission on the status of women.
- **Inform all students and employees of the person(s) responsible for Title IX compliance.** Include the name(s), office address(es), and telephone number(s).
- **Adopt and publish Title IX grievance procedures for both student and employee complaints, including complaints of sexual harassment.**
- **Develop specific and continuing strategies to ensure that everyone in the institution knows about your policy of non-discrimination.** Groups to notify about the policy include admissions and recruitment personnel and representatives (both students and employees) of applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and unions or professional organizations holding collective bargaining or professional agreements with the institution. Your policy should also inform people that inquiries about Title IX can be referred to the designated Title IX person or the Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, DC 20202-2516.

- **Ensure that the notice of non-discrimination is prominently placed in each announcement, bulletin, catalogue or application form** used in connection with students or employees as well as in recruiting students and employees. (Colleges recruiting athletes should be sure that this notification appears in materials sent to prospective athletes.)
- **Ensure that all programs facilitated by the institution do not discriminate on the basis of sex.** For example, the institution must develop and implement a procedure to assure that programs it does not operate but requires or otherwise considers a part of its programming, such as co-op placements sponsored by professional organizations or internships, are non-discriminatory. Institutions also should take reasonable steps to ensure that housing opportunities it does not provide directly—but which it selects, lists, approves, or helps make available—are provided in a non-discriminatory manner. This means that housing must be proportionate in quantity and comparable in quality and cost for students of both genders.
- **Ensure that any agency, organization, or person who receives assistance from the institution for the purpose of making employment available to students does so without discriminating on the basis of sex.**
- **Develop and use internal procedures for ensuring that student counseling and appraisal materials do not discriminate on the basis of sex.**
- **Take action to ensure that classes that are disproportionately represented by one gender are not the result of sex discrimination** in counseling or appraisal materials, in the use of these materials, or by academic or guidance counselors.
- **Develop and implement procedures to ensure overall non-discrimination in disbursement of financial aid.** If the institution provides any single-sex financial assistance established by wills, bequests, or similar legal instruments. If financial aid is given to athletes, provide "reasonable opportunities" for athletic scholarships and grants-in-aid for each sex in proportion to the number of each sex participating in intercollegiate athletics.
- **Ensure that any separate class, institute or program offered to pregnant students is comparable to those offered to non-pregnant students.**

As stated previously, this list is not exhaustive; there are many more strategies that will help move the nation toward gender equity. In addition, students, parents, and educators have an important role to play in ensuring that educational institutions live up to their obligations under the law. These communities should determine the steps they will take to help the nation make the grade for gender equity in education in the next 25 years and beyond.

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Julie K. Ehrhart and Bernice R. Sandler, National Association for Women in Education, Washington, DC. Examines gang rapes and contains more than 100 recommendations for preventing and dealing with sexual assault (including but not limited to gang rape). Although aimed at colleges, many of the recommendations will also be appropriate for high school programs and policies.

Martha J. Langelan, *Back Off! How to Confront and Stop Sexual Harassment and Harassers* (Simon and Schuster, 1993). Describes many strategies for women and girls on dealing with sexual harassment when it occurs, whether in the playground, at work, or on the street. Very useful for students at all levels and those working with them.

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Jean O'Gorman Hughes and Bernice R. Sandler, *Friends Raping Friends: Could It Happen To You?* (National Association for Women in Education, Washington, DC). Aimed at students, the booklet describes how date rape usually occurs, what to do to avoid situations that might lead to date rape, what to do if raped, and effects of rape.

Jean O'Gorman Hughes and Bernice R. Sandler, *Peer Harassment: Hassles for Women on Campus"* (National Association for Women in Education, Washington, DC). Contains more than 60 recommendations for preventing and dealing with student-to-student harassment.

Bernice R. Sandler, *Women at Work in the Classroom, Or Why It Still Hurts to be a Woman In Labor* (National Association for Women in Education, Washington, DC, 1993). Describes how both male and female students often treat women faculty differently than male faculty. Contains more than 60 recommendations.

Bernice R. Sandler, Jean O'Gorman Hughes, and Mary DeMouy, *It's All in What You Ask: Questions for Search Committees to Use* (National Association for Women in Education, Washington, DC). Contain about 60 questions to ask prospective faculty members and administrators to determine if a candidate is aware of and responsive to women's issues. Although developed for colleges, many of the questions would be equally appropriate for primary and secondary schools.

Bernice R. Sandler, Lisa A. Silverberg, and Roberta M. Hall, *The Chilly Classroom Climate: A Guide for to Improve the Education of Women* (National Association for Women in Education, 1325 18th Street N.W., Suite 210, Washington, DC 20036-6511). Describes more than 50 ways in which women college students are treated differently than men and offers more than 260 recommendations aimed primarily at administrators and faculty.

Bernice R. Sandler and Robert J. Shoop, *Sexual Harassment on Campus: A Guide for Administrators, Faculty and Students* (Allyn and Bacon, 1997). Also includes chapters on legal background, peer harassment, computer harassment, sexual harassment policies, and how to handle complaints both formally and informally.

Bernice R. Sandler, Lisa A. Silverberg, and Roberta M. Hall, "Part IV: Gender and the Faculty Evaluation Process" in *The Chilly Classroom Climate*, pp 57-63. Summarizes recent research on how women may be evaluated more harshly by their colleagues and their students, and provides more than 20 recommendations.

Robert J. Shoop and Jack W. Hayhow, Jr. *Sexual Harassment In Our Schools: What Parents and Teachers Need to Know to Spot It and Stop It* (Allyn and Bacon, 1994). Also covers policies and programs. Aimed at primary and secondary school educators and parents.

The Coalition for Women and Girls in Education (NCWGE) represents more than 50 diverse national organizations committed to improving educational opportunities and equality for women and girls in all aspects of education. NCWGE member organizations include:

Academy for Educational Development
American Association for the Advancement of Science
American Association of School Administrators
American Association of University Professors
American Association of University Women
American Civil Liberties Union
American Council on Education
American Educational Research Association
American Federation of Teachers
American Psychological Association
Association for Women in Science
Association of Junior Leagues
Association of Teacher Educators
Business & Professional Women/USA
Center for Advancement of Public Policy
Center for Womens Policy Studies
Council of Chief State School Officers
FairTest
Federation of Organizations for Professional Women
Feminist Majority Foundation
Ganet Middle School
Gallaudet University
Girl Scouts of the USA
Girls Incorporated
Ms. Foundation for Women
Myra Sadker Advocates for Gender Equity
National Alliance for Partnerships in Equity
National Alliance of Vietnamese American Service Agencies
National Association for Girls & Women in Sports
National Association for Women in Education
National Association of Collegiate Women Athletic Administrators
National Coalition for Sex Equity in Education
National Commission of Working Women
National Council of Administrative Women in Education
National Council of Negro Women
National Education Association
National Organization for Women
National Organization for Women Legal Defense and Education Fund
National Womens History Project
National Womens Law Center
National Womens Political Caucus
Parent and Teacher Association
Trial Lawyers for Public Justice, P.C.
U.S. Student Association
United Church of Christ Board for Homeland Ministries
WAVE, Inc.
Women and Foundations/Corporate Philanthropy
Womens Bureau
Womens Legal Defense Fund
Womens Research & Education Institute
Womens Sports Foundation
Women Work!

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EXECUTIVE SUMMARY

TITLE IX AT 25

REPORT CARD ON GENDER EQUITY

SUBJECT	FIRST 25 YEARS
Access to Higher Education	B-
Athletics	C
Career Education	C
Employment	C-
Learning Environment	C-
Math and Science	C+
Sexual Harassment	D+
Standardized Testing	C
Treatment of Pregnant and Parenting Students	C+

A Report of the National Coalition for Women and Girls in Education

June 23, 1997

EA 029 430

ACCESS TO HIGHER EDUCATION

B-

Title IX has provided women with much greater access to colleges and universities. Yet barriers persist, including sex segregation and disparities in scholarship awards.

Before Title IX

- Many colleges and universities set quotas limiting women's admission and subjected women to tougher admissions criteria.
- Female applicants to doctoral programs often had to explain how they would combine a career with family.
- Schools gave preference to men in the award of scholarships, fellowships, and loans.

Progress to Date

- Many financial aid programs have been modified to facilitate women's access to higher education.
- Women earn more than half of the associate's, bachelor's, and master's degrees, but still lag behind men at the doctoral level, earning just 39 percent of doctoral degrees.
- Women are still underrepresented in math and science, fields that have been hostile to women.

Improvement Needed

- Congress should amend the new welfare law to allow women to pursue postsecondary education by allowing college study and work study to count toward a welfare recipient's work requirement.
- Educational institutions should develop programs and support systems to encourage women to enter and stick with math and science fields.

ATHLETICS

C

Given that women and girls were virtually closed out of school sports before Title IX, significant progress has been made. Yet females still have substantially fewer opportunities and incentives to participate in sports.

Before Title IX

- Girls were just 1 percent of all high school athletes. Fewer than 32,000 women competed in intercollegiate athletics.
- Athletic scholarships for women were virtually nonexistent.
- Athletic opportunities for female students frequently were limited to cheerleading.
- Female college athletes received only 2 percent of overall athletic budgets.

Progress to Date

- Girls account for 40 percent of all high school athletes. Women are 37 percent of all college varsity athletes.
- Female athletes receive only 23 percent of athletic scholarship dollars, 38 percent of athletic scholarship dollars, and 27 percent of athletic recruiting dollars.
- The number of women coaches in college athletics has decreased, down to 48 percent from 90 percent in the 1970s.

Improvement Needed

- The U.S. Department of Education's Office for Civil Rights (OCR) should step up its enforcement in this area.
- Congress should require federally funded institutions to publicly disclose information regarding athletic equity.
- The NCAA should push institutional members to comply with Title IX.

CAREER EDUCATION

C

Title IX has opened opportunities for women and girls to receive training in non-traditional careers, an area clearly off limits before 1972. But not all doors are yet open.

Before Title IX

- High schools typically segregated vocational education classes by sex: girls took home economics, boys took shop.
- At the postsecondary level, women trained for low-wage, traditionally female jobs in health and cosmetology; men trained for jobs in trade and industry and technical occupations.
- Certain vocational schools, such as apprentice and amazon schools, were reserved for men.

Progress to Date

- Men remain clustered in high-skill, high-wage job tracks, while women predominate in low-wage, traditionally female tracks, even in new School-to-Work programs.
- Congress is poised to repeal wage requirements that successfully have helped women, particularly displaced homemakers and single parents, gain access to non-traditional occupations.

Improvement Needed

- Congress should reject proposals to eliminate sex equity programs.
- OCR should enforce Title IX's requirements in School-to-Work and vocational education, targeting gender-based and sexual harassment that discourage women from entering non-traditional occupations.

EMPLOYMENT

C-

After 25 years of Title IX and a Supreme Court decision declaring that Title IX prohibits sex discrimination in employment in educational institutions, women have made progress, but there is still room for improvement. One pattern remains especially evident: Women's numbers tend to decrease as their rank in the career ladder or the prestige of the educational institution increases.

Before Title IX

- Women lacked tenure in colleges and universities, particularly in elite institutions.
- Women were promoted at slower rates and received smaller salaries than their male counterparts.
- Women had little access to high-level administrative positions and few opportunities to head colleges and universities, even women's institutions.

Progress to Date

- Women on college and university faculties have increased from 18 percent to nearly 30 percent; however, women earn closer to 40 percent of all doctoral degrees.
- Women are 73 percent of elementary and secondary school teachers, but only 35 percent of principals.
- Women generally remain in the lower faculty ranks at all levels.
- Pay inequities between males and females persist at all levels.
- Women head more than 450 educational institutions, leading just 13 percent of all such institutions.

Improvement Needed

- OCR should target employment discrimination in its enforcement.
- Schools should monitor and train search committees so that they understand and can address the barriers to hiring women, and ensure that men and women at all ranks and within all units are treated equitably.

LEARNING ENVIRONMENT

C-

Title IX outlaws policies and practices that discriminate on the basis of sex. But since its passage, research has shown that more subtle forms of discrimination generally outside Title IX's scope also affect girls' ability to learn. This discrimination can contribute to a classroom climate that is chilly or even disheartening for females.

Before Title IX

- Female and male students were treated differently—for example, girls' math problems dealt with recipes, while boys' math problems dealt with high finance.
- Girls and women were virtually invisible in the curriculum.
- Education and textbooks reinforced stereotypes about male and female students and people of color, setting the stage for disparate expectations for students.

Progress to Date

- Many educators have integrated strategies that enhance classrooms for all students.
- Some text selection committees analyze books for gender, as well as race, ethnicity, and class bias.
- Still, female students typically get less attention, encouragement, praise and criticism than male students.

Improvement Needed

- Congress should reinstate federal efforts to provide schools with materials and strategies to improve the classroom climate.
- Educators should continue receiving training to overcome bias and discriminatory practices in classrooms.

MATH AND SCIENCE

C+

Title IX removed many barriers to women and girls in the non-traditional fields of math and science, areas critical to success in an increasingly technological world. But disparities based on gender still exist in achievement and participation rates in these disciplines. And college-level science and math departments are often hostile environments for women, which discourages their participation.

Before Title IX

- Some schools steered girls away from math and science classes, even excluding girls from math and science clubs altogether.
- Boys outnumbered and outperformed girls in math and science.

Progress to Date

- Girls' participation rates in elementary and secondary school have increased, but drop as women advance in higher education.
- Although girls' achievement is approaching that of boys, a gender gap persists, which increases with the grade level.
- Large gender gaps persist in performance on high-stakes tests such as the math SAT, although that gap has decreased from 44 to 35 points.

Improvement Needed

- OCR and other federal agencies should identify and address the factor causing women's participation rates in math and science to decline in higher education.
- Educators should ensure that girls are active participants in math and science classes and encourage them to pursue related careers.

SEXUAL HARASSMENT

D+

Sexual harassment is widespread, affecting female students in elementary through post-graduate schools. Although sexual harassment is a significant barrier to education, many institutions lack or fail to enforce policies to combat this form of sex discrimination. As a result, sexual harassment too frequently causes female students to avoid certain areas in their school or particular classes, even discouraging them from attending their educational institutions altogether.

Before Title IX

- Without a law prohibiting sex discrimination in education, there was no legal protection against sexual harassment in this context.

Progress Report

- Sexual harassment in school is pervasive. Studies show that 81 percent of 8th through 11th graders, 30 percent of undergraduates, and 40 percent of graduate students have experienced sexual harassment.
- Research has shown that sexual harassment causes female students to lose interest in school and diminishes their academic performance.
- Few schools have or effectively enforce sexual harassment policies, failing to address even the most severe forms of sexual harassment.

Improvements Needed

- OCR should increase enforcement in this area, including conducting targeted compliance reviews.
- Schools should adopt and enforce strong, comprehensive sexual harassment policies.
- Educators should incorporate teaching methods to address and eliminate sexual harassment in the classroom.

STANDARDIZED TESTING

C

Standardized tests have long played a major role in allocating educational opportunities to our nation's students—opportunities that, in turn, provide the gateway to success in competitive job markets and the key to economic security. But for female students, these tests frequently have been a gatekeeper, barring access to programs.

Before Title IX

- Scoring gaps existed in a wide variety of tests, including vocational and college admissions exams.
- Institutions relied on these standardized tests, despite questions about their predictive capabilities, which had a harmful impact on educational and economic opportunities for women and girls as well as students of color.

Progress Report

- Some schools and awards no longer rely so heavily on applicants' scores.
- Significant gender gaps persist in performance on high-stakes standardized tests used for admissions and scholarships.
- These gaps continue to affect educational benefits available to girls or women, such as scholarships and academic programming.

Improvements Needed

- The Department of Education should rigorously examine proposed instruments for national testing of fourth and eighth graders to ensure their validity.
- Educational institutions should rely on a combination of standardized tests and other measures such as grades to evaluate students' academic potential.

TREATMENT OF PREGNANT AND PARENTING STUDENTS

C+

Teen pregnancy generally marked the end of a student's educational career. Legal protections established by Title IX changed this, but more work is needed to ensure that pregnant and parenting students can get the education so necessary to support their families.

Before Title IX

- Pregnant students were often expelled from school and not welcomed back after they gave birth.
- Separate programs for pregnant girls and teen mothers often focused on non-academic curriculum.

Progress Report

- More schools have eliminated explicit policies expelling pregnant students or requiring them to attend separate programs.
- Many guidance counselors steer pregnant students to separate, less rigorous schools.
- Some schools deny pregnant students the opportunity to make up missed classes, or otherwise take steps designed to make school attendance more difficult.

Improvements Needed

- OCR should target enforcement efforts on subtle forms of discrimination against pregnant and parenting students.
- The Department of Education should inform the public, educators, a parents of the rights of pregnant and parenting students under Title I
- Educators should ensure that pregnant and parenting students are allowed full access to the curriculum.

TITLE IX 25

REPORT CARD ON GENDER EQUITY

Surveying the educational landscape confronting women and girls more than two decades ago, former Representative Edith Green concluded:

> "Our educational institutions have proven to be no bastions of democracy."

She was right. From separate entrances for male and female students and quotas restricting women's access to medical school, to prohibitions against female students taking courses such as auto mechanics or criminal justice, sex discrimination in education was a fact of life.

But a new day was ahead, thanks to leaders such as Green and former Senator Birch Bayh.

They sponsored, and in 1972 Congress enacted, Title IX of the Education Amendments, the federal mandate against sex discrimination in education. Congress used the broadest terms possible to signal loudly and clearly that gender no longer could dictate educational opportunities. Twenty-five years later, there is no question that Title IX has ripped down previously closed doors for women and girls. But is that the end of the story?

The *Report Card* by the National Coalition for Women and Girls in Education (NCWGE) celebrates the progress thus far. And it recognizes how far the nation has to go to achieve gender equity in education.

The *Report Card* examines critical areas—such as access to higher education, learning environment, math and science, and sexual harassment—and grades the nation's efforts to implement Title IX based on such indicators as women's participation rates, enforcement actions by the federal government, and legal developments.

The grading scale is as follows:

A - Equitable: Gender and other areas of diversity respected and affirmed.
B - Substantial Progress: Elimination of most gender-based barriers.
C - Some Progress: Some barriers addressed, but more improvement necessary.
D - Little Progress: Significant gender-based barriers remain.
F - Failure: No progress in 25 years.

With just a C average, the nation has a lot of work to do before Title IX's goal of eliminating sex discrimination in education is a reality. The *Report Card's Action Agenda* provides policymakers and educators with a blueprint for tackling the persistent barriers — make the grade for gender equity in the next 25 years and beyond.

> "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."
>
> Title IX of the Education Amendments of 1972
> 20 U.S.C. Section 1681

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American Federation of Teachers
American Psychological Association
Association for Women in Science
Association of Junior Leagues
Association of Teacher Educators
Business & Professional Women/USA
Center for Advancement of Public Policy
Center for Women's Policy Studies
Council of Chief State School Officers
FairTest
Federation of Organizations for Professional Women
Feminist Majority Foundation
Girls Incorporated
Ms. Foundation for Women
More Ladies Advocates for Gender Equity
National Alliance for Partnerships in Equity
National Alliance of Vietnamese American Service Agencies
National Association for Girls & Women in Sports
National Association for Women in Education
National Association of Collegiate Women Athletic Administrators
National Coalition for Sex Equity in Education
National Commission of Working Women
National Council of Administrative Women in Education
National Council of Negro Women
National Education Association
National Organization for Women
National Organization for Women, Legal Defense and Education Fund
National Women's History Project
National Women's Law Center
National Women's Political Caucus
Parent and Teacher Association
Trial Lawyers for Public Justice, P.C.
U.S. Student Association
United Church of Christ Board for Homeland Ministries
WAVE, Inc.
Women and Foundations/Corporate Philanthropy
Women's Bureau
Women's Legal Defense Fund
Women's Research & Education Institute
Women's Sports Foundation
Women Work!

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